

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-4 are pending in the present application, and are each amended by the present amendment. Support for the amended claims can be found at least at Fig. 3 and p. 11. l. 6 – p. 12, l. 15 of the originally filed disclosure. No new matter is presented.

In the Office Action, Claims 1-4 are rejected under 35 U.S.C. § 103(a) as unpatentable over Tirosh et al. (U.S. Pub. No. 2003/0141093, herein Tirosh) in view of Neves et al. (U.S. Pub. No. 2006/0276209, herein Neves).

As an initial matter, Applicants appreciatively acknowledge the courtesy extended by Examiner Adhami in holding a personal interview with the undersigned on November 5, 2009. During the interview, an overview of the invention was presented and proposed claim amendments were discussed that Examiner Adhami agreed “appears to overcome the cite references”. In response, Claims 1-4 are amended as proposed during the interview, and are believed to overcome the outstanding rejection under 35 U.S.C. § 103 as discussed below.

More particularly, independent Claim 1, for example, is amended to recite, in part, a communication control system comprising:

- a specific router including an accounting function or a media converting function ...

- a routing controller comprising:

- a trigger receiver configured to receive a predetermined trigger generated based on a determined need for the packets sent from the source mobile station to the destination mobile station to be routed through the specific router including the accounting function or the media converting function;

- a router controller configured to select the specific router through which the packets sent from the source mobile station to the destination mobile station are routed based on topology information of a plurality of routers controlled by the routing controller, a routing path of the data addressed to the destination mobile station, and the received predetermined trigger ...

Independent Claims 2-4, while directed to alternative embodiments, are amended to recite similar features.

As disclosed in an exemplary embodiment at Fig. 3 and p. 11, l. 6 – p. 12, l. 15 of the originally filed disclosure, this claimed configuration causes a trigger to be generated when it is determined that the traffic from the source node to the destination node must go through a router including an accounting function or a media converting function. It should be noted that “accounting function” refers to a billing function, as differentiated from the “monitoring function” disclosed in the present application. The router controller then selects a specific router through which the traffic should be routed based on at least network topology information and the predetermined trigger.

Turning to the applied primary reference, Tirosh describes a system including a plurality of paths between a source router and a destination router in which a communication path is selected from a set of possible paths based on network traffic conditions and on service level information associated with the media stream's source.

In rejecting the claimed features directed to the routing controller configured to receive the predetermined trigger receiver, the Office Action relies on ¶ [0038-0040] of Tirosh. Regarding the trigger feature, ¶ [0040] of Tirosh describes that a database maintenance module 414 in a “second tier” 410 of the network management system may identify possible “triggers” that initiate a corresponding activity. Tirosh describes that these triggers may include a change in status of one of the configurable routers or a new measured transmission value on one of the sub-networks or segments.

Therefore, these “triggers” described in Tirosh merely indicate changes in a topology of a network, and are not “generated based on a determined need for the packets sent from the source mobile station to the destination mobile station to be routed through the specific router including the accounting function or the media converting function”, as recited in amended

independent Claim 1. Moreover, Tirosh fails to teach or suggest that the routing controller “selects the specific router through which the packets sent from the source mobile station to the destination mobile station are routed based on topology information of a plurality of routers controlled by the routing controller, a routing path of the data addressed to the destination mobile station, and the received predetermined trigger”, which is also required by amended independent Claim 1.

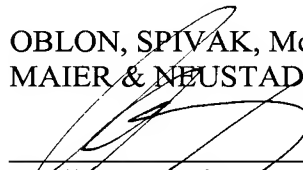
Further, Neves is relied upon only for the proposition that the destination terminal may be a mobile station, and fails to remedy any of the above noted deficiencies of Tirosh.

Accordingly, Applicants respectfully request that the rejection of Claims 1-4 under 35 U.S.C. § 103 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-4 is definite and patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early a favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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